

106TH CONGRESS
1ST SESSION

S. 1032

To permit ships built in foreign countries to engage in coastwise trade
in the transport of certain products.

IN THE SENATE OF THE UNITED STATES

MAY 13, 1999

Mr. BROWNBACK (for himself, Mr. HELMS, Mr. BURNS, Mr. ROBERTS, Mr. FITZGERALD, and Mr. LUGAR) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To permit ships built in foreign countries to engage in
coastwise trade in the transport of certain products.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Freedom To Transport
5 Act of 1999”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) FREIGHT VESSEL.—The term “freight ves-
 2 sel” has the meaning given that term in section
 3 2101(13) of title 46, United States Code.

4 (2) SECRETARY.—The term “Secretary” means
 5 the Secretary of Transportation.

6 **SEC. 3. TRANSPORTATION OF CERTAIN MERCHANDISE.**

7 (a) IN GENERAL.—Section 27 of the Merchant Ma-
 8 rine Act, 1929 (46 U.S.C. App. 883) is amended by strik-
 9 ing the period at the end and inserting the following:
 10 “: *Provided further*, That this section shall not apply with
 11 respect to the transportation of merchandise that is a for-
 12 est product, within the meaning of the term ‘forest prod-
 13 ucts’ in section 3(11) of the Shipping Act of 1984 (46
 14 U.S.C. App. 1702(11)), bulk cargo, as that term is defined
 15 in section 3(4) of the Shipping Act of 1984 (46 U.S.C.
 16 App. 1702(4)), including agricultural products, as that
 17 term is defined in section 101(1) of the Agricultural Trade
 18 Act of 1978 (7 U.S.C. 5602(1)), that are carried in bulk,
 19 or livestock, as that term is defined in section 2(4) of the
 20 Packers and Stockyards Act, 1921 (7 U.S.C. 182(4)), and
 21 that is transported in a freight vessel (as that term is de-
 22 fined in section 2101(13) of title 46, United States Code)
 23 of not less than 1,000 gross tons that was not built in
 24 the United States (or if rebuilt, not rebuilt in the United

1 States) for which the Secretary of Transportation has
 2 issued a certificate of documentation.”.

3 (b) COASTWISE ENDORSEMENTS.—12106(b) of title
 4 46, United States Code, is amended—

5 (1) by inserting “(1)” after “(b)”;

6 (2) by inserting “to paragraph (2) and” after
 7 “Subject”; and

8 (3) by adding at the end the following:

9 “(2) Paragraph (1) shall not apply with respect to
 10 a vessel used for the transportation of merchandise that
 11 is a forest product, within the meaning of the term ‘forest
 12 products’ in section 3(11) of the Shipping Act of 1984
 13 (46 U.S.C. App. 1702(11)), bulk cargo, as that term is
 14 defined in section 3(4) of the Shipping Act of 1984 (46
 15 U.S.C. App. 1702(4)), including agricultural products, as
 16 that term is defined in section 101(1) of the Agricultural
 17 Trade Act of 1978 (7 U.S.C. 5602(1)), that are carried
 18 in bulk, or livestock, as that term is defined in section
 19 2(4) of the Packers and Stockyards Act, 1921 (7 U.S.C.
 20 182(4)), and that is a freight vessel of not less than 1,000
 21 gross tons that was not built in the United States (or if
 22 rebuilt, not rebuilt in the United States) and with respect
 23 to which the Secretary of Transportation has issued a cer-
 24 tificate of documentation.”.

25 (c) FOREIGN TRANSFER.—

1 (1) IN GENERAL.—Notwithstanding section 9(c)
2 of the Shipping Act, 1916 (46 U.S.C. App. 808), a
3 freight vessel described in the last proviso of section
4 27 of the Merchant Marine Act, 1920 (46 U.S.C.
5 App. 883), as added by subsection (b) of this sec-
6 tion, for which the Secretary has issued a certificate
7 of documentation after the date of enactment of this
8 Act and that is used for a purpose specified in that
9 proviso may be placed under foreign registry without
10 the approval of the Secretary at any time after that
11 vessel is issued a certificate of documentation.

12 (2) REVOCATION OF CERTIFICATE OF DOCU-
13 MENTATION.—At such time as vessel is placed under
14 foreign registry under paragraph (1), the Secretary
15 shall revoke the certificate of documentation issued
16 by the Secretary for that vessel.

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